

HOUSE BILL 160

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HB 393/00 - ECM

2001 Regular Session
11r1245
CF 11r2186

By: ~~Delegates Hixson, Rosenberg, Morhaim, Finifter, and Nathan-Pulliam~~
Nathan-Pulliam, Barve, Busch, Donoghue, Fulton, Goldwater, Gordon,
Harrison, Hill, J. Kelly, Kirk, Krysiak, La Vay, Love, McClenahan,
McHale, Minnick, Mitchell, Moe, and Pendergrass

Introduced and read first time: January 18, 2001
Assigned to: Economic Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 21, 2001

CHAPTER _____

1 AN ACT concerning

2 **Health Insurance - Hearing Aids ~~and Related Treatment~~ - Coverage for**
3 **Children**

4 FOR the purpose of requiring certain insurers, nonprofit health service plans, and
5 health maintenance organizations to provide coverage for hearing aids for minor
6 children under certain circumstances; ~~requiring certain insurers, nonprofit~~
7 ~~health service plans, and health maintenance organizations to provide coverage~~
8 ~~for certain treatment relating to the child's hearing impairment and hearing~~
9 ~~aids; requiring reimbursement to certain professionals at a certain rate;~~
10 ~~requiring certain notice to insureds and enrollees at a certain time; authorizing~~
11 a certain limitation on the benefit payable under this Act; authorizing an
12 insured or enrolled individual to choose a hearing aid that is priced higher than
13 a certain benefit amount and to pay the difference between the price of the
14 hearing aid and the benefit amount, without financial or contractual penalty to
15 the provider of the hearing aid; defining a certain term; providing for the
16 application of this Act; and generally relating to requiring health insurance
17 coverage for hearing aids and related treatment for children.

18 BY adding to
19 Article - Insurance
20 Section 15-837
21 Annotated Code of Maryland
22 (1997 Volume and 2000 Supplement)

23 BY adding to

1 Article - Health - General
2 Section 19-706(rr)
3 Annotated Code of Maryland
4 (2000 Replacement Volume)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
6 MARYLAND, That the Laws of Maryland read as follows:

7 **Article - Insurance**

8 15-837.

9 (A) IN THIS SECTION, "HEARING AID" MEANS A DEVICE THAT:

10 (1) IS OF A DESIGN AND CIRCUITRY TO OPTIMIZE AUDIBILITY AND
11 LISTENING SKILLS IN THE ENVIRONMENT COMMONLY EXPERIENCED BY CHILDREN;
12 AND

13 (2) ~~MEETS OR EXCEEDS THE FOLLOWING STANDARDS — MULTIPLE~~
14 ~~BAND, WIDE DYNAMIC RANGE COMPRESSION, AND DIRECT AUDIO INPUT~~
15 ~~COMPATIBILITY IS NONDISPOSABLE.~~

16 (B) THIS SECTION APPLIES TO:

17 (1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT PROVIDE
18 HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS ON AN
19 EXPENSE-INCURRED BASIS UNDER HEALTH INSURANCE POLICIES OR CONTRACTS
20 THAT ARE ISSUED OR DELIVERED IN THE STATE; AND

21 (2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE HOSPITAL,
22 MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS UNDER CONTRACTS
23 THAT ARE ISSUED OR DELIVERED IN THE STATE.

24 (C) (1) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE
25 FOR HEARING AIDS FOR A MINOR CHILD WHO IS COVERED ~~THROUGH AN INSURED OR~~
26 ~~ENROLLED PARENT OF THE CHILD UNDER A POLICY OR CONTRACT~~ IF THE HEARING
27 ~~AID IS~~ AIDS ARE PRESCRIBED, FITTED, AND DISPENSED BY A LICENSED
28 AUDIOLOGIST.

29 (2) ~~AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE~~
30 ~~FOR REPLACEMENT HEARING AIDS FOR THE CHILD AT LEAST ONCE EVERY 3 YEARS~~
31 (I) AN ENTITY SUBJECT TO THIS SECTION MAY LIMIT THE BENEFIT PAYABLE UNDER
32 PARAGRAPH (1) OF THIS SUBSECTION TO \$1,400 PER HEARING AID FOR EACH
33 HEARING-IMPAIRED EAR EVERY 36 MONTHS.

34 (II) AN INSURED OR ENROLLED INDIVIDUAL MAY CHOOSE A
35 HEARING AID THAT IS PRICED HIGHER THAN THE BENEFIT PAYABLE UNDER THIS
36 SUBSECTION AND MAY PAY THE DIFFERENCE BETWEEN THE PRICE OF THE HEARING

1 AID AND THE BENEFIT PAYABLE UNDER THIS SUBSECTION, WITHOUT FINANCIAL OR
2 CONTRACTUAL PENALTY TO THE PROVIDER OF THE HEARING AID.

3 (D) (4) ~~IN ADDITION TO PROVIDING COVERAGE FOR HEARING AIDS UNDER~~
4 ~~SUBSECTION (C) OF THIS SECTION, AN ENTITY SUBJECT TO THIS SECTION SHALL~~
5 ~~PROVIDE COVERAGE FOR TREATMENT, BY A LICENSED AUDIOLOGIST, THAT RELATES~~
6 ~~TO THE CHILD'S HEARING IMPAIRMENT AND HEARING AIDS. THIS SECTION DOES~~
7 NOT PROHIBIT AN ENTITY SUBJECT TO THIS SECTION FROM PROVIDING COVERAGE
8 THAT IS GREATER OR MORE FAVORABLE TO AN INSURED OR ENROLLED INDIVIDUAL
9 THAN THE COVERAGE REQUIRED UNDER THIS SECTION.

10 (2) THIS TREATMENT MAY INCLUDE:

11 (i) CONSULTATION THAT RELATES TO THE HEARING IMPAIRMENT
12 AND HEARING AIDS;

13 (ii) FITTING OF THE HEARING AIDS;

14 (iii) PROFESSIONAL VISITS TO MONITOR THE APPROPRIATE
15 FUNCTIONING OF THE HEARING AIDS; AND

16 (iv) ASSESSMENT OF THE CHILD'S HEARING IMPAIRMENT.

17 (E) THE HEARING AID INSTRUMENT, ASSESSMENT, PRESCRIBING, FITTING,
18 AND CONSUMABLE SUPPLIES SHALL BE REIMBURSED AT THE USUAL AND
19 CUSTOMARY CHARGES OF THE LICENSED PROFESSIONALS.

20 (F) THIS SECTION DOES NOT PROHIBIT AN ENTITY SUBJECT TO THIS SECTION
21 FROM PROVIDING COVERAGES THAT ARE GREATER THAN OR MORE FAVORABLE TO A
22 CHILD OF AN INSURED OR ENROLLEE THAN THE COVERAGE REQUIRED UNDER THIS
23 SECTION.

24 (G) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE NOTICE
25 ANNUALLY TO ITS INSURED AND ENROLLEES ABOUT THE COVERAGE REQUIRED
26 UNDER THIS SECTION.

27 **Article - Health - General**

28 19-706.

29 (RR) THE REQUIREMENTS OF § 15-837 OF THE INSURANCE ARTICLE APPLY TO
30 HEALTH MAINTENANCE ORGANIZATIONS.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
32 policies, contracts, and health benefit plans issued, delivered, or renewed in the State
33 on or after October 1, 2001. Any policy, contract, or health benefit plan in effect before
34 October 1, 2001, shall comply with the provisions of this Act no later than October 1,
35 2002.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2001.